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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA — WESTERN DIVISION
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11 ARACELI PEÑA,
12 Petitioner,
13 vs.
14 TINA HORNBECK, Warden,
15 Respondent.
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Case No. CV 08-7369-AHS (JWJ)

ORDER ADOPTING
REPORT AND
RECOMMENDATION
OF UNITED STATES
MAGISTRATE JUDGE

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18 Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court has reviewed the
19 instant Petition and other papers along with the attached Report and
20 Recommendation of the United States Magistrate Judge, and has made a de
21 novo determination of the Report and Recommendation.

22 IT IS ORDERED that a Judgment be issued **dismissing the instant**
23 **action with prejudice.**

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1 IT IS FURTHER ORDERED that the Clerk shall serve forthwith a copy
2 of this Order and the Judgment of this date on the plaintiff.

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4 DATED: June 1, 2009.

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6 ALICEMARIE H. STOTLER
7 ALICEMARIE H. STOTLER
8 United States District Judge
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